

УДК 911.3:008

DOI: 10.35432/tisb292023289789

**PROTECTION OF INTANGIBLE CULTURAL HERITAGE:
THE EXPERIENCE OF GREAT BRITAIN**

Falkovskyi Andrii

candidate of legal sciences, associate professor,
associate professor of the Department State Studies,
Law and European Integration
Odessa Polytechnic National University
<https://orcid.org/0000-0002-2762-1021>

Intangible cultural heritage (ICH) includes traditions, customs, music, dance, oral history, and other cultural expressions that are passed down from generation to generation. These cultural practices are an important part of the identity and heritage of a community or group of people. As such, the protection of ICH is crucial for preserving the cultural diversity and richness of society. In Great Britain, legal measures have been put in place to protect ICH and ensure its continued transmission. The United Kingdom is a signatory to the UNESCO Convention for the Safeguarding of Intangible Cultural Heritage, which was adopted in 2003. The convention defines ICH as «the practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognise as part of their cultural heritage» [1].

It recognises the importance of ICH as a means of promoting cultural diversity and encourages States Parties to safeguard and promote it. In Great Britain, the legal protection of ICH is mainly provided by the Intellectual Property Office (IPO). The IPO is responsible for administering various intellectual property rights, including trademarks, patents, and designs. It also administers the Geographical Indications (GI) scheme, which protects the names of products that have a specific geographical origin and possess qualities or a reputation that are due to that origin. GI scheme, the UK has also established the Traditional Speciality Guaranteed (TSG) scheme. This scheme protects traditional food and drink products that have a specific production method or recipe. It aims to safeguard the traditional knowledge and skills associated with the production of these products and promote their cultural heritage.

The UK government has established a number of special measures to protect ICH. For example, the Department for Digital, Culture, Media and Sport (DCMS) has created a National Inventory of Intangible Cultural Heritage, which aims to raise awareness of ICH and promote its safeguarding [2]. The inventory includes a range of cultural practices, such as Morris dancing, Cornish pilot gig racing, and the ancient Scottish art of hair braiding. Another example of special protection measures is the Living Tradition project, which aims to document and promote traditional music in the UK. The project, which is funded by the Arts and Humanities Research Council, has created an online database of traditional music and provides resources for musicians, researchers, and educators [3]. In conclusion, the protection of intangible cultural heritage is essential for preserving the diversity and richness of cultural expression. In Great Britain, legal measures such as the GI and TSG schemes, as well as non-legal measures such as the National Inventory of Intangible Cultural Heritage and the Living Tradition project, have been established to safeguard ICH and promote its transmission. These measures reflect the UK's commitment to the UNESCO Convention for the Safeguarding of Intangible Cultural Heritage and demonstrate the value that the UK places on its cultural heritage.

Despite the legal and others measures in place for the protection of ICH in Great Britain, challenges still remain. One of the main challenges is the lack of awareness and understanding of ICH among the general public, as well as among policy-makers and decision-makers. This can result in the under-representation of ICH in policy and funding decisions. Another challenge is the threat posed by modernisation and globalisation, which can lead to the loss or dilution of traditional cultural practices. In the case of ICH, this can be due to factors such as urbanisation, changes in lifestyle and social norms, and the influence of foreign cultures. Therefore, it is crucial to find a balance between modernisation and the preservation of cultural heritage. In response to these challenges, there have been various initiatives aimed at raising awareness and promoting the importance of ICH in Great Britain. For example, the Heritage Lottery Fund (HLF) has provided funding for projects related to ICH, such as the preservation of traditional crafts and the documentation of oral history [4].

The HLF also supports community-led initiatives for the safeguarding of ICH, which aim to empower communities to take ownership of their cultural heritage. The establishment of the UK National Commission for UNESCO, which works to promote and support the implementation of UNESCO conventions and programmes in the UK [5]. This includes the UNESCO Convention for the Safeguarding of Intangible Cultural Heritage, as well as other conventions related to culture and education. The legal protection of ICH in Great Britain is supported by various legal and non-legal measures. These measures aim to safeguard traditional cultural practices and promote the transmission of cultural heritage. However, challenges still exist, such as the lack of awareness and understanding of ICH and the threat posed by modernisation and globalisation. Therefore, it is important to continue raising awareness and promoting the value of ICH, while finding a balance between modernisation and cultural preservation. The initiatives mentioned earlier, there are also efforts to involve communities in the safeguarding of their own cultural heritage. This is important because communities are often the custodians of ICH, and their involvement can help to ensure that their cultural practices are respected and transmitted to future generations. Community involvement can also help to promote social cohesion and cultural diversity. One such initiative is the Community Learning and Development Programme, which aims to support communities in the preservation and promotion of their cultural heritage. The programme provides funding and resources for community-led projects, such as the documentation of oral history, the preservation of traditional crafts, and the organisation of cultural events [6].

Another initiative is the Traditional Arts and Culture Scotland (TRACS), which works to promote traditional Scottish arts and culture. TRACS provides training and resources for artists and practitioners, as well as support for community-led projects related to traditional arts and culture. It also organises cultural events and festivals, such as the Edinburgh International Festival and the Celtic Connections festival [7].

The legal protection of ICH in Great Britain is supported by a range of measures, including legal frameworks, non-legal initiatives, and community involvement. These measures aim to safeguard cultural practices and promote their transmission to future generations. However, challenges still exist, such as the lack of awareness and understanding of ICH and the threat posed by modernisation and globalisation. Therefore, it is important to continue to raise awareness and promote the value of ICH, while finding a balance between modernisation and cultural preservation. Another key aspect of the legal protection of ICH in Great Britain is the role of education. Education can play an important role in promoting the transmission of cultural heritage and raising awareness of its importance.

Therefore, it is essential to integrate ICH into education curriculums at all levels, from primary school to higher education. The Scottish Government, for example, has developed a curriculum for excellence, which includes the promotion of cultural heritage and the development of cultural literacy [8]. The curriculum aims to provide opportunities for students to engage with their cultural heritage and develop an understanding of the importance of ICH. It also encourages

the involvement of communities in the development and delivery of educational programmes. In addition to formal education, there are also opportunities for informal learning and engagement with ICH. For example, the Museums and Galleries Scotland (MGS) provides resources and support for museums and galleries to engage with ICH and promote its preservation and transmission [9]. The MGS also organises events and activities related to cultural heritage, such as heritage walks and talks.

In conclusion, the legal protection of ICH in Great Britain is supported by a range of measures, including legal frameworks, non-legal initiatives, community involvement, and education. These measures aim to safeguard cultural practices and promote their transmission to future generations. However, challenges still exist, such as the lack of awareness and understanding of ICH and the threat posed by modernisation and globalisation. Therefore, it is important to continue to raise awareness and promote the value of ICH, while finding a balance between modernisation and cultural preservation.

Список літератури

1. UNESCO. (2003). Convention for the Safeguarding of Intangible Cultural Heritage. Retrieved from <https://ich.unesco.org/en/convention>
2. Department for Digital, Culture, Media and Sport. (n.d.). National Inventory of Intangible Cultural Heritage. Retrieved from <https://www.gov.uk/guidance/national-inventory-of-intangible-cultural-heritage>
3. Living Tradition. (n.d.). About. Retrieved from <https://www.livingtradition.co.uk/about>
4. Heritage Lottery Fund. (n.d.). Heritage Grants. Retrieved from <https://www.heritagefund.org.uk/funding/heritage-grants>
5. UK National Commission for UNESCO. (n.d.). Culture. Retrieved from <https://unesco.org.uk/what-we-do/culture/>
6. Scottish Government. (n.d.). Community Learning and Development Programme. Retrieved from <https://www.gov.scot/policies/community-learning-and-development/community-learning-and-development-programme/>
7. Traditional Arts and Culture Scotland. (n.d.). About TRACS. Retrieved from <https://tracscotland.org/about-tracs/>
8. Education Scotland. (n.d.). Curriculum for Excellence. Retrieved from [https://education.gov.scot/scottish-education-system/policy-for-scottish-education/policy-drivers/cfe-\(building-from-the-statement-appendix-incl-btc1-5\)/Curriculum%20for%20Excellence](https://education.gov.scot/scottish-education-system/policy-for-scottish-education/policy-drivers/cfe-(building-from-the-statement-appendix-incl-btc1-5)/Curriculum%20for%20Excellence)
9. Museums and Galleries Scotland. (n.d.). Our Work. Retrieved from <https://www.museumsgalleriesscotland.org.uk/our-work/>